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21 **UNITED STATES DISTRICT COURT**

22 **DISTRICT OF NEVADA**

23 HARRY WISEMAN,

24 Plaintiff,
25 vs.

26 JACOBS ENTERTAINMENT INC., a
27 Delaware Corporation; ROCKY MOUNTAIN
28 EGGS, INC., a California Corporation; SYSCO
USA 1, INC., a Delaware Corporation; DOES 1
through 10, inclusive; and ROE ENTITIES 1
through 10, inclusive,

29 Defendants.

30 Case No.: 3:19-cv-00153-RCJ-CBC

31 **FASSIO EGG FARMS, INC.'s NON-**
32 **OPPOSITION TO JACOBS**
33 **ENTERTAINMENT, INC.'S MOTION FOR**
34 **LEAVE TO FILE CROSSCLAIM**

35 ROCKY MOUNTAIN EGGS, INC.,

36 Third-Party Plaintiffs,
37 vs.

38 SHEPHERD & SONS POUNTRY FARM,
39 INC.; SHEPHERDS'S PROCESSED EGGS,
40 INC.,

41 Third-Party Defendants.

42 SHEPHERD & SONS POULTRY FARM,
43 INC.; SHEPHERDS'S PROCESSED EGGS,
44 INC.,

45 Third-Party Plaintiffs,

1 vs.

2 SYSCO CORPORATION, SYSCO USA I,
3 INC. and JACOBS ENTERTAINMENT, INC.;
4 MOES 1 through 10, inclusive; and ZOE
5 ENTITIES 1 through 10, inclusive,

6 Third-Party Defendants.

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14 Third-Party Defendant Fassio Egg Farms, Inc., (“Fassio”) by and through its counsel of record, Wilson, Elser, Moskowitz, Edelman & Dicker LLP, hereby submits this Fassio Egg Farms, Inc.’s Non-Opposition to Jacobs Entertainment, Inc.’s (“Jacobs”) Motion For Leave to File Crossclaim (“Notice”) [ECF No. 89]. Fassio recognizes the fast-approaching discovery and expert deadlines that may be affected by such an amendment and the possible need to vacate and re-set discovery deadlines, including the expert disclosures and close of discovery. By filing this Notice, Fassio does not concede the accuracy of the allegations alleged in Jacobs’ Motion or Jacobs’ Proposed cross-claims. Additionally, Fassio does not concede or waive any argument concerning liability or damages.

15 DATED this 22nd day of October, 2020.

16 WILSON, ELSE, MOSKOWITZ,
17 EDELMAN & DICKER LLP

18 */s/ Rachel L. Wise*
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to FRCP 5, I certify that I am an employee of WILSON, ELSER, MOSKOWITZ,
3 EDELMAN & DICKER LLP and that on this 22nd day of October, 2020, I served a true and correct
4 copy of the foregoing FASSIO EGG FARMS, INC.'s NON-OPPOSITION TO JACOBS
5 ENTERTAINMENT, INC.'S MOTION FOR LEAVE TO FILE CROSSCLAIM as follows:

6 by placing same to be deposited for mailing in the United States Mail, in a sealed
7 envelope upon which first class postage was prepaid in Las Vegas, Nevada;

8 via electronic means by operation of the Court's electronic filing system, upon each
9 party in this case who is registered as an electronic case filing user with the Clerk;

10 via hand-delivery to the addressees listed below;

11 via facsimile;

12 by transmitting via email the document listed above to the email address set forth
below on this date before 5:00 p.m.

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